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Attorneys for Defendant/Counterclaimant
 LABOMED, INC.

**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

LABO AMERICA, INC., a California
 Corporation,

Plaintiff,

vs.

LABOMED, INC., a California Corporation;
 DOES 1 – 100,

Defendants.

LABOMED, INC. a California Corporation,

Counterclaimant,

vs.

LABO AMERICA, INC., a California
 Corporation,

Counterdefendant.

Case No.: CV-12-01477-PJH

**STIPULATION FOR DISMISSAL OF
 ACTION WITH PREJUDICE
 [Fed. R. Civ. P. 41(a)(1)(A)(ii)];
~~[PROPOSED]~~ ORDER**

Action Filed March 23, 2012

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**STIPULATION FOR DISMISSAL OF ACTION WITH PREJUDICE
 [Fed. R. Civ. P. 41(a)(1)(A)(ii)]; ORDER**

Case No. CV-12-01477 PJH

STIPULATION FOR DISMISSAL WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), **IT IS HEREBY STIPULATED** by and between Plaintiff and Counterdefendant LABO AMERICA, INC. (“Plaintiff and Counterdefendant”) and Defendant and Counterclaimant LABOMED, INC. (collectively referred to as “Parties”), by and through their respective counsel of record herein, that the entirety of the above-captioned action, including Plaintiff’s Complaint and Counterclaimant’s Counterclaims, shall be **DISMISSED WITH PREJUDICE**.

The Parties further stipulated and request that the Court shall retain jurisdiction to enforce the terms of the Settlement Agreement in this action.

The Parties stipulate that each party is to bear its own fees and costs.

IT IS SO STIPULATED.

DATED: August 29, 2013

HIARING + SMITH LLP

By: /s/ Vijay K. Toke

Vijay K. Toke

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LABO AMERICA, INC.

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REMAINING SIGNATURE BLOCKS ARE ON THE FOLLOWING PAGE]**

STIPULATION FOR DISMISSAL OF ACTION WITH PREJUDICE

[Fed. R. Civ. P. 41(a)(1)(A)(ii)]; ORDER

Case No. CV-12-01477 PJH

1 DATED: August 29, 2013

LAW OFFICES OF BANAYAN & ASSOCIATES

2
3 By: /s/ Fariba B. Banayan

4 Fariba B. Banayan, Esq.
5 Law Offices of Banayan & Associates
6 9025 Wilshire Boulevard, Suite 301
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8 Email: fbf@banayanlaw.com
9 Phone: 310-385-8282
10 Facsimile: 310-385-8226

11 DATED: August 29, 2013

LAW OFFICES OF LAWRENCE G. TOWNSEND

12 By: /s/ Lawrence G. Townsend

13 Lawrence G. Townsend
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15 Law Offices of Lawrence G. Townsend
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19 Fax (415) 882-3299
20 Attorney for Defendant/Counterclaimant
21 LABOMED, INC.

22 **ATTESTATION OF CONCURRENCE**

23 I, Vijay K. Toke, attest that I am one of the attorneys for Plaintiff LABO AMERICA,
24 INC., a California corporation, and, as the ECF user and filer of this document, I attest that,
25 pursuant to United States District Court, Northern District of California Civil L.R. 5-1(i)(3),
26 concurrence in the filing of this document has been obtained from Fariba B. Banayan and
27 Lawrence G. Townsend, the above signatories.

28 Dated: August 29, 2013

By: /s/ Vijay K. Toke
Vijay K. Toke

STIPULATION FOR DISMISSAL OF ACTION WITH PREJUDICE

[Fed. R. Civ. P. 41(a)(1)(A)(ii)]; ORDER

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PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 8/30/13

Honorable Phyllis J. Hamilton
United States District Court



STIPULATION FOR DISMISSAL OF ACTION WITH PREJUDICE
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